

REMARKS

Applicant respectfully requests entry of this amendment and reconsideration of the application.

I. Status of the Claims

Claims 1-18 are pending in this application. Claims 10, 12 and 13 have been withdrawn. Claims 1-9, 11 and 14-18 are rejected. Claims 5, 7 and 11 have been canceled. Claims 1, 3, 6, 8 and 15 have been amended to clarify the invention. No new matter has been added.

II. Response to Advisory Action of July 22, 2010

Applicant responded to the Final Office Action (issued April 14, 2010) on July 14, 2010 (within the shortened statutory time period) with amendments and remarks, and simultaneously filed a Notice of Appeal. Applicant incorporates by reference into this submission the amendments and arguments made in Applicant's "Amendment and Response Under 37 CFR § 1.116 filed on July 14, 2010.

The Examiner issued an Advisory Action on July 22, 2010 in which the Examiner did not enter Applicant's amendments after final and stated that "the 35 U.S.C. 112 2nd paragraph rejections are being maintained due to the claimed invention requiring the use of HIMAX technology" and "[d]ue to applicants amendment submitted on 7/14/2010, by removing the recitation of HIMAX technology in claims 1 and 3, the scope of the claimed invention has become broader and additional consideration of the claimed invention is now required. Applicant respectfully traverses the Examiner and believes the amendments as filed on July 14, 2010 should be entered.

Applicant has removed the term "Hydrophobic Interaction Matrix (HIMAX) technology" from the preamble language of claims 1 and 3 in order to clarify the invention. HIMAX is merely a random term that Applicant intended to refer generically to the technology described in the application and claims. See Specification at page 3, lines 3-5 ("It is understood that the word 'HIMAX' is coined by the inventors and refers to only the technology developed for this invention as explained hereunder."). Applicant respectfully submits that the removal of this generic term from claims 1 and 3 neither broadens nor narrows the claim scope. The Examiner merely asserts that the claimed invention has become broader without any explanation for this conclusion. Applicant respectfully requests reconsideration.

Applicant gratefully acknowledges the notation that “upon entry of these amendments the above stated rejections would be overcome.” Applicant respectfully believes that with the RCE filing herein, Applicant’s “Amendment and Response Under 37 CFR § 1.116” filed on July 14, 2010 will be entered and all of the outstanding rejections would be withdrawn.

V. Conclusion

Based upon the above remarks, Applicant respectfully requests reconsideration and early allowance of the pending claims. Should the Examiner feel that a telephone conference with Applicants' attorney would expedite prosecution of this application, the Examiner is urged to contact the undersigned attorney.

The Commissioner is hereby authorized to charge any fees, which may be required by this paper, to Deposit Account No. 18-0586.

Date: September 13, 2010

Respectfully submitted,

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